

**REMARKS**

By this Amendment, claim 2 is cancelled and claims 1, 8, 14 and 15 are amended, leaving claims 1, 3-12 and 14-22 pending in the application. Claims 8-12 and 19-22 were withdrawn from consideration.

**Withdrawn Claims**

Claim 8 is amended to include all of the features of claim 1, from which it depends. For the reasons discussed in the Amendment filed on May 5, 2006, claims 8-12 and 19-22 should be rejoined once claim 1 is determined to be allowable.

**Rejection Under 35 U.S.C. § 102**

Claims 1-4, 6, 7 and 14-18 were rejected under 35 U.S.C. § 102(b) over U.S. Patent No. 2,807,542 to Frank. Claim 2 is cancelled. The rejection is respectfully traversed.

Claim 1 is amended to recite the features of cancelled claim 2. Claim 1, as amended, recites a powder metal composition for producing powder metal components comprising a Co-based pre-alloyed powder, with irregularly shaped particles comprising at least 15% by weight Cr, at least one of W and Mo, and less than 0.3% by weight C, the pre-alloyed powder being admixed with graphite (emphasis added). As recited in claim 1, the Co-based pre-alloyed powder comprises at least 15% by weight Cr and at least one of W and Mo.

Applicants submit that Frank does not disclose the powder metal composition recited in claim 1. Frank discloses a method of making high-density sintered alloys. Frank discloses a pre-alloyed powder containing 10 to 90% Cr and 90 to 10% Co.

See column 5, lines 29-30. Frank does not disclose that the pre-alloyed powder contains at least one of W and Mo. In contrast, Frank discloses admixing the pre-alloyed powder containing Cr and Co with W. See column 5, lines 30-31.

Accordingly, because Frank does not disclose a powder metal composition that comprises every feature recited in claim 1, claim 1 is not anticipated by Frank.

Claims 3, 4 6, 7 and 14-18 depend from claim 1 and thus are also not anticipated by Frank for at least the same reasons as those for which claim 1 is not anticipated. Therefore, withdrawal of the rejection is respectfully requested.

#### **Rejection Under 35 U.S.C. § 103**

Claim 5 was rejected under 35 U.S.C. § 103(a) over Frank. The rejection is respectfully traversed.

Claim 5 depends from claim 1. Claim 5 recites that the powder metal composition comprises: 15-35% by weight Cr, 0-20% by weight W, 0-25% by weight Ni, 0-5% by weight Si, 0-5% by weight Fe, 0-10% by weight Mo, the balance being Co. Frank does not suggest that the pre-alloyed powder contains at least one of W and Mo, much less in the amount recited in claim 5. Accordingly, claim 5 is patentable over Frank.

Frank also does not disclose the shape of the pre-alloyed powder containing Cr and Co, much less disclose that the particles have an irregular particle shape as recited in claim 1. It is well known in the art that powder particles can have "regular" shapes, such as spherical shapes. Accordingly, Frank does not support the assertion in the Office Action that Frank's pre-alloyed powder particles are necessarily irregular shaped.

It should be noted that the powder metal composition recited in claim 1 can be used to provide compacted bodies having a high green strength due to the irregular shaped particles. In contrast, Frank does not disclose or suggest any particle shape.

For at least the foregoing reasons, withdrawal of the rejection of claim 5 is respectfully requested.

**Conclusion**

If there is any remaining point that requires clarification prior to the allowance of the Application, the Examiner is urged to telephone the undersigned attorney so that the matter can be expeditiously resolved.

Respectfully submitted,

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Date: October 25, 2006

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